RESPONSE

Remarks

Claims 1-13 and 23-25 are pending in this Divisional Application. Claims 1 and 23 are in independent format.

The Applicant submitted a Preliminary Amendment with the filing of the Divisional Application on March 10, 2004. Many of the issues raised by the Examiner in the Office Action were handled in that paper. The Applicant includes a copy of the Preliminary Amendment as filed on March 10, 2004.

Allowable Subject Matter

The Applicant thanks the Examiner for the Allowable subject matter of Claims 6 and 13. New Claims 26 and 27 have been added including the limitations of Independent Claim 1 and Dependent Claims 6 and 13. Claims 26 and 27 are immediately allowable claims.

Information Disclosure Statement

The Applicant acknowledges and thanks the Examiner for considering all 40 items listed on the IDS filed December 12, 2004.

Priority

The Applicant included an amendment for a priority claim in the Preliminary Amendment. The Specification has been further amended above to include the patent number and issue date of the patent application.

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Double Patenting - 35 U.S.C. §101

The Applicant canceled claims 14-22 in this Divisional Application with the Preliminary Amendment filed March 10, 2004, the day this Divisional Application was filed. Since the Examiner cited the claims canceled in the Preliminary Amendment, the double patenting rejecting is improper and must be withdrawn.

Claim Rejection – 35 U.S.C. §101

The Examiner asserts that Claims 1 and 2 and 13 are rejected under 35 U.S.C. 101 because the claimed invention is directed towards non-statutory subject matter. The claims are directed toward 'a method for creating a vertical search engine' and are non-statutory because the do not encompass tangible subject matter and/or embodiments which fall with a statutory category. The claims make no mention of a tangible medium wherein existing code may be processed to perform the recited claims." The Applicant traverses this assertion.

Section 35 U.S.C. §101 Response

With all due respect to the Examiner, there are several errors with his application of patent law.

First, this very Applicant and the parent application of this divisional application was granted a patent for a vertical search engine by the U.S. Patent Office, as U.S. Patent No. 6,714,934, without mention in the method claims of a tangible medium. Thus, the method and system described in this issued patent was obviously statutory subject matter otherwise the U.S. Patent Office would not have issued a patent.

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Second, based on the State Street Bank case cited by the Examiner and the AT&T case, a tangible medium is no longer required for a software invention. Very respectfully, the Examiner should review the holdings of these cases and the corresponding MPEP sections 2106-2108 which clearly state the criteria for a software invention. The Examiner has mis-applied case law and patent rules which are clearly stated for software inventions.

Third, Claim 2, a dependent claim does include a computer readable medium. The Examiner asserts that this claim does not encompass a tangible medium. This simply an incorrect statement by the Examiner.

Fourth, the Examiner asserts that the claimed invention related to methods and systems for a vertical search engine do not produce a useful, concrete and tangible result. This is clearly an erroneous statement and a misunderstanding of the holding of the State Street Bank and AT&T cases. Search engines, including vertical search engines claimed by the Applicant, are some of the most innovative and important tools created for the Internet. The Internet would not be useable without search engines. Search results for any search engines, including vertical search engines, are certainly useful, concrete and tangible results.

Fifth, the Examiner indicated that Independent Claim 1 with the additional limitations of Claims 6 and 13 are allowable. If these claims are allowable, they must also be statutory.

The Section 101 rejection is clearly a mis-application of U.S. Patent Law and Rules and must be immediately withdrawn.

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First Section 35 U.S.C. §103

Claims 1, 2, 4 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis (U.S. Patent No. 6,490,575, hereinafter referred to as BERSTIS), filed on 6 December 1999, and issued on 3 December 2002, in view of Brady et al (U.S. Patent No. 6,463,430, hereinafter referred to as BRADY), filed on 10 July 2000, and issued on 8 October 2002. The Applicant traverses this assertion. The Applicant may respond only to specific statements in the assertion. However, the Applicant intends to traverse all the Examiner's assertions.

First Section 35 U.S.C. §103 Response

Independent Claims 1 and 23

The Examiner is reminded that to establish a prima facie case of obviousness in the first place, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference must teach or suggest all of the claim limitations. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

The Examiner is reminded that to establish a case of prima facie obviousness of a claimed invention, all of the claim limitations must be taught or suggested. *In re Royka* 400 F.2d 981 (CCPA 1974).

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The Examiner asserts that BERSTIS, in combination with BRADY, discloses all of the elements in Independent Claims 1 and 23.

However, the Examiner meticulously cited sections of BERSTIS and BRADY for all the elements of independent Claim 1, except for two claim elements. The Examiner did not find anywhere in BERSTIS or BRADY individually, or the combination thereof, at leat two elements of independent Claim 1 including: "*verifying that entries in the plurality of second index files are appropriate for the selected subject; and*

making a vortal accessible on another network device via the computer network for the selected subject using the final index."

Since the prior art references do not teach all of the claim elements by the Examiners own words and analysis, the Examiner has not established a prima facie case of obviousness in violation of the holding of *In re Vaeck* and *In re Royka*. Thus, Section 103 rejection is clearly improper, must be immediately withdrawn. The Applicant need not respond any further because the Examiner has not established a prima facie case of obviousness.

The Examiner, failing to find a teaching for all the claim elements in the combination of BERSTIS and BRADY then tries to overcome his failings but stating the missing claim elements are obvious by simply asserting "It would have been obvious to one of ordinary skill in the art at the time the invention was created to verify that the entries in the second index files fall within the selected subject for the vortal. Additionally, it would have been

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obvious to one of ordinary skill in the art at the time the invention was created to have the vortal available for access by another network device via a general computer network. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the inventions suggested by BERSTIS and BRADY."

The Examiner's assertions are clearly is mis-application of U.S. Patent Law. The Examiner simply cannot say claim elements he does not find in the combination of references are obvious to one of ordinary skill in the art.

The holding of *All-Site Corp. v. VSI Int'l Inc.*, 174 F.3d 1308 (Fed. Cir. 1999) clearly states "the level of skill in the art cannot be relied upon to provide the suggestion to combine references."

The holding of *Ex Parte Levengood*, 217 F.3d 1365 (Fed. Cir. 2000) also clearly states a making a statement that a claimed invention would have been within the ordinary skill of the art at the time the invention was made is not sufficient to establish a *prima facie* case of obviousness.

The Examiner then asserts "One of ordinary skill in the art would have been motivated to do this modification so that in creating a vertical search engine, keywords are processed to be included in a final index such that the final index correlates to a specific subject or topic."

The Examiner is reminded that the mere fact that the references can be combined or modified (which is not the case in this matter) does not render the resultant combination obvious unless the prior art also suggests the desirability of

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the combination. *In re Mills*, 916 F.2d 680 (Fed. Cir. 1990). Neither BERSTIS and BRADY suggest such a combination, and in fact teach away from such a combination as is discussed below. In addition, the final index of the claimed invention includes the xxx.

The Examiner is reminded that a *prima facie* case of obviousness can be rebutted by showing that the art, in any material respect teaches away from the claimed invention. *In re Geisler,* 116 F.3d 1465 (Fed. Cir. 1997).

Berstis teaches "Conventional search engine applications maintain a centralized keyword index which consumes considerable space and requires frequent and time consuming updates. The problem of traffic overload on conventional search engines caused by such centralized functionality can be eliminated by first migrating and distributing a portion of the searching and indexing functionality to local sites and servers...local sites support local search engines which perform indexing of all pages maintained at each respective site. A global, top-level search engine maintains and periodically updates its own master index. During such updates, the global search engine incorporates information from the locally maintained indices at each Web site. In an alternate embodiment, the global search engine would retrieve only the Internet Protocol (IP) address of the local sites associated with word-to-page links relating to the searched words. In this manner, when a user commences a search, the global search engine responds by providing a list of sites (site addresses) rather than page addresses." (Col. 4, lines 55-67).

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Brady teaches an automated method of creating and updating a database of resumes and related documents (Abstract).

The claimed invention has no such limitations. Thus, Bertsis alone, Brady alone and the combination thereof clearly teaches away from the claimed invention in several material respects. Therefore, even if the Examiner had established a *prima facie case* of obviousness, and as discussed above, the was not true in this matter since the Examiner did not find all of the claimed elements of the claimed invention, any *prima facie* case of obviousness is rebutted based on the holding of *In re Giesler*.

The Examiner is also reminded that if a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900 (Fed. Cir. 1984).

Berstis teaches "Conventional search engine applications maintain a centralized keyword index which consumes considerable space and requires frequent and time consuming updates. The problem of traffic overload on conventional search engines caused by such centralized functionality can be eliminated by first migrating and distributing a portion of the searching and indexing functionality to local sites and servers. In one embodiment of the present invention, local sites support local search engines which perform indexing of all pages maintained at each respective site (Col. 4, lines 48-54). Berstis also teaches requirement of using local search engines which perform indexing of all pages maintained at each respective local site

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instead of spiders or crawlers to update a centralized keyword index. (Col. 4, lines 55-67).

Brady teaches: "One particular aspect of this embodiment is where said method is used to create or update a database of publicly available resumes retrieved from a network of documents." (Col. 6, lines 1-3). Brady also teaches use of a 'spider or 'crawler that refers to a sequence of computer commands in the form of a computer program, subroutine or the like, that locate and retrieve documents according to specified criteria from a network of documents, such as, the Internet, the World Wide Web, LANs, intranets, or the like. (Col. 4, lines 11-15). "For example in the instance where the spider is retrieving publicly available resumes and publications from the web, a retrieved resume may provide a link to a publication directed to subject matter that is relevant to the position that is to be filled." (Col. 5, lines 10-19).

Since Brady requires use of a spider or crawler and Bertsis in part was created to eliminate the use of a spider or crawler by requiring use of local search engines, combining Brady and Bertsis makes Bertsis unsatisfactory for one of its intended purposes of eliminating use of spiders and crawlers. Therefore, there is no suggestion or motivation to make the proposed modification based on the holding of *In re Grady*.

The Examiner is also reminded that evidence supporting no reasonable expectation of success of combining two references supports a conclusion of nonobviouslness; *In re Reinhart*, 531 F.2d 1048 (CCPA 1976) and if the proposed

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modification or combination of the prior art would change the principal operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious. *In re Ratti* 270 F.2d 810 (CPPA 1959).

Bertsis, which eliminates the need for spider or crawlers by requiring local search engines on each site, could not be combined with Brady, which requires the use of spiders and crawlers to obtain resumes from the Internet, cannot be successfully combined because the combination would change the principle operation of Bertsis. Thus, the combination of Bertsis and Brady cannot render the claims *prima facie* obvious based on the holdings of *In re Reinhart* and *In re Ratti.*

Thus, Claims 1 and 23 are not obvious and the rejections of Claims 1 and 23 are improper. Therefore the rejection of Claims 1 and 23 must be immediately withdrawn.

Dependent Claims 2 and 4

The arguments for independent Claims 1 and 23 are incorporated by reference. Claims 2 and 4 are dependent claims that add additional limitations not included in the corresponding independent claims. The Examiner is reminded that if an independent claim is nonobvious under 35 U.S.C. 103, than any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

Thus, Claims 2 and 4 are not obvious and the rejections of Claims 2 and 4 are improper. Therefore the rejection of Claims 2 and 4 must be immediately withdrawn.

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Second Section 35 U.S.C. §103 Rejection

Claims 3, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over BERSTIS, in view of BRADY, and in further view of *Official Notice.* BERSTIS and BRADY teach the limitations of claims 1, 2, 4 and 23 for the reasons stated above. The Applicant traverses this assertion. The Applicant may respond only to specific statements in the assertion. However, the Applicant intends to traverse all the Examiner's assertions.

Second Section 35 U.S.C. §103 Response

The Examiner **admits** that BERSTIS and BRADY differ from the claimed invention in that they fail to specifically disclose that the DNS for the Internet is included in the DNS for the network (claims 3 and 25). *The Applicant accepts this admission.*

The Examiner **admits** that BERSTIS and BRADY differ from the claimed invention in that they fail to specifically disclose that the opening of a .COM, .EDU, .GOV, .MIL, .NET or .ORG top-level domain name file (claim 24). *The Applicant accepts this admission.*

The Applicant traverses the assertion of Official Notice taken by the Examiner as follows.

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The Examiner is reminded that there must be some form of evidence in the record to support an assertion of Official Notice. *In re Lee*, 277 F.3d at 1344-45 (Fed. Cir. 2002). The Examiner has not provided any such evidence other than to assert that " it would have been obvious to one of ordinary skill in the art at the time the invention was made."

The Applicant traverses this assertion of Official Notice as being defective and improper because: (1) the Examiner admitted that Neither Berstis nor Brady alone or in combination teach the claim limitations the Examiner took Official Notice of; (2) Claims 3, 24 and 25 are dependent claims addition the additional limitations to the corresponding independent claims that are not obvious in combination; (3) these dependent claims add additional limitations to the vertical search engine with the specific features claimed by the Applicant; (4) there were very few vertical search engines in existence period when the Applicant filed the original parent application in 2001 that the current divisional application is based on and there are still very few vertical search engines used at all on the Internet; (5) there were no vertical search engines with the claim elements of the combination of the independent and dependent claims that the Applicant new about at the time the application was filed.

Since the Applicant has adequately traversed the Examiner's assertion of Official Notice, the Examiner must provide documentary evidence of proof for the Office Notice with the rejected claim limitations used in a vertical search engine at the time the Applicant filed the application in the next Office action if the rejection

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is to be maintained. *In re Zurko*, 258 F.3d 1379, 1697(Fed. Cir. 2001). The Applicant respectfully requests such evidence.

Thus, the rejections of Claims 3, 24 and 25 are improper. Therefore the rejection of Claims 3, 24 and 25 must be immediately withdrawn.

Third Section 35 U.S.C. §103 Response

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over BERSTIS, in view of BRADY, and in further view Sullivan et al (U.S. Patent No. 5,956,711, hereinafter referred to as SULLIVAN), filed on 16 January 1997, and issued on 21 September 1999. BERSTIS and BRADY teach the limitations of claims 1, 2, 4 and 23 for the reasons stated above.

The Applicant traverses this assertion. The Applicant may respond only to specific statements in the assertion. However, the Applicant intends to traverse all the Examiner's assertions.

Third Section 35 U.S.C. §103 Response

The Examiner **admits** that BERSTIS and BRADY differ from the claimed invention in that they fail to specifically disclose the method of eliminating generic keywords and adding synonyms and modified spellings of keywords to the list (claim 5). *The Applicant accepts this admission.*

The Arguments for Claims 1 and 23 are incorporated by reference. Since the Applicant clearly explained by BERSTIS and BRADY were not obvious and the Examiner admitted that BERSTIS and BRADY did not teach the claim limitations

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of Claim 5, the combination of BERSTIS, BRADY and SULLIVAN cannot teach the limitations of Claim 5.

Claim 5 is a dependent claim that add additional limitations not included in the corresponding independent claims. The Examiner is reminded that if an independent claim is nonobvious under 35 U.S.C. 103, than any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

Thus, the rejections of Claim 5 is improper. Therefore the rejection of Claim 5 must be immediately withdrawn.

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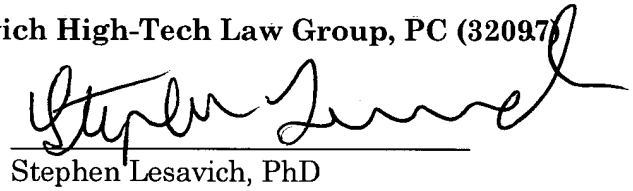
CONCLUSION

The prior art made of record in the Office Action but not relied upon by the Examiner is no more pertinent to Applicant's invention than the cited references for the reasons given above. Claims 26 and 27 include subject matter allowed by the Examiner. The Applicant therefore submits that all of the claims in their present form are immediately allowable and requests the Examiner withdraw the Section §101 and §103 rejections of claims and pass all of the claims to allowance.

Respectfully submitted.

Lesavich High-Tech Law Group, PC (32097)



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Dated: February 6, 2007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(LHTG No. 00,1247-A)

COPY

In re Application of: **Matthew A. Fordham**	
Serial No. **09/918,838**	Examiner: **Fleurantin, Jean B.**
Filed: **July 31, 2001**	Group Art Unit: **2172**
For: **METHOD AND SYSTEM FOR CREATING VERTICAL SEARCH ENGINES**	Conformation No. **3942**
	Customer No. **30297**

Mail Stop: Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR § 1.10:

The undersigned hereby certifies that this *Preliminary Amendment and Response for Divisional Application* included herein, is being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee," Express Mail No. **EV338119847US** in an envelope addressed to: Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Arlington, Virginia, 22313 on this **10d** day of **March, 2004**.

Stephen Lesavich
Registration No. 43,749

PRELIMINARY AMENDMENT AND RESPONSE

FOR DIVISIONAL APPLICATION

Applicant requests consideration of the following Preliminary Amendment with a request for a Divisional patent application based on the above referenced U.S. Patent Application.

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1. **(Original)** A method for creating a vertical search engine, comprising:

receiving a list of a plurality of keywords to be used for the vertical search engine on a network device, wherein the list of keywords includes general and specific keywords for a selected subject;

processing the list of plurality of keywords to create a refined list of keywords, wherein the processing includes adding, subtracting or modifying automatically the list of plurality of keywords;

creating a plurality of first index files associated with a plurality of first data files by checking a plurality of domain names from a plurality of domain name files associated with a domain name system for a computer network, wherein the plurality of first index files include a plurality of pointers to the associated data files, and wherein the plurality of first data files include a plurality of entries including electronic information extracted from a plurality of web-sites associated with a plurality of active domain names from the plurality of domain name files;

creating a plurality of second index files with associated plurality of second data files by searching the plurality of first index files for keywords from the refined list of keywords, wherein the plurality of second index files include a plurality of pointers to the associated plurality of second data files, and wherein the plurality of second data files include a plurality of entries including electronic information extracted from a plurality of web-sites associated with the plurality of active domain names for keywords from the refined list of keywords;

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verifying that entries in the plurality of second index files are appropriate for the selected subject;

creating a final index from the plurality of entries first index; and

making a vortal accessible on another network device via the computer network for the selected subject using the final index.

2. **(Original)** The method of Claim 1 further comprising a computer readable medium having stored therein instructions for causing a processor to execute the steps of the method.

3. **(Original)** The method of Claim 1 wherein the domain name system for the computer network includes the Domain Name System for the Internet.

4. **(Original)** The method of Claim 1 wherein the plurality of entries including electronic information extracted from a plurality of web-sites associated with a plurality of active domain names from the plurality of domain name files include a title, description, a uniform resource locator, or a pre-determined amount of electronic content associated with a web-site associated with an active domain name.

5. **(Original)** The method of Claim 1 wherein the processing step includes:

eliminating keywords that are too generic or have multiple meanings;

modifying keywords by adding alternative spellings or additional words; and

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adding automatically synonyms for keywords to the list of plurality of keywords to create the refined list of keywords.

6. **(Original)** The method of Claim 1 wherein the step of creating a plurality of first index files includes:

opening a plurality of top-level domain name files associated with the domain name system for the computer network;

checking a plurality of domain names from the plurality of open top-level domain name files to determine whether any of the plurality of domain names are associated with an active web-site on the computer network;

extracting domain names in the plurality of open top-level domain name files associated with active web-sites on the computer network;

storing the extracted domains names in a plurality of entries in a plurality of separate files, thereby creating a plurality of separate files including the plurality of entries; and

sorting each of the plurality of separate files based on a pre-determined sorting scheme to create a plurality of sorted separate files.

7. **(Original)** The method of Claim 6 wherein the step of opening a plurality of top-level domain name files associated with a domain name system including opening a .COM, .EDU, .GOV, .MIL, .NET or .ORG top-level domain name file associated with the Internet domain name system.

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8. **(Original)** The method of Claim 6 wherein the checking step includes attempting to visit a web-site on the computer network with a software spider to determine whether the web-site is active.

9. **(Original)** The method of Claim 6 wherein the checking step includes extracting electronic content from an active web-site on the computer network.

10. **(Original)** The method of Claim 6 wherein the extracting step includes:

(a) adding a first individual character component to a first file based on the first character of an entry, when the first individual character component was derived from an entry in one of the plurality of open top-level domain name files;

(b) moving the first character of the first individual character component to an end of the first individual character component, thereby exposing a next character and creating a next individual character component;

(c) adding the next individual character component to a next file based on the next character of the first individual character component;

(d) moving the next character of the next individual character component to an end of the next individual character component, thereby exposing a (next character+1) and creating a (next character+1) individual character component;

(e) adding the (next character+1) individual character component to a (next charater+1) file based on the (next character+1) of the (next character+1) individual

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character component;

(f) repeating steps (d) and (e) until first character of the first individual character component is reached.

11. **(Original)** The method of Claim 6 wherein the storing step includes storing the plurality of individual character components in a plurality of separate files including one file for each letter of the English alphabet (A-Z), and the numbers zero through nine.

12. **(Original)** The method of Claim 6 wherein the sorting step includes sorting each of the plurality of separate files based on an ASCII value of characters stored in the plurality of separate files.

13. **(Original)** The method of Claim 1 wherein the step of creating a plurality of first index files includes:

(a) selecting a keyword from the refined list of keywords;

(b) determining whether the selected keyword comprises multiple words, and if so,

(c) selecting a word with the greatest number of individual characters from the multiple words comprising the selected keyword,

(d) opening a one of a plurality of sorted separate files based on a first character of the selected word from the selected keyword, wherein the plurality of sorted

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separate file were created by indexing a plurality of domain name files associated with a domain name system for the refined list of keywords, and

(e) searching the open sorted separate file for the selected word from the selected keyword,

(f) repeating steps (c) through (e) for remaining words in the selected keyword;

and if not,

(g) opening a one of a plurality of sorted separate files based on a first character of the selected keyword, wherein the plurality of sorted separate file were created by indexing a plurality of domain name files associated with a domain name system for the refined list of keywords, and

(h) searching the open sorted separate file for the selected keyword;

(i) determining whether the selected keyword has been found in the open separate sorted, file, and if so,

(j) adding an entry to a first index file for the selected keyword;

(k) repeating steps (a), (b) and (i) for remaining keywords from the refined list of keywords.

14. **(Canceled)** A method for indexing a plurality of domain name files, comprising:

opening a plurality of top-level domain name files associated with a domain name system for a computer network;

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checking a plurality of domain names from the plurality of open top-level domain name files to determine whether any of the plurality of domain names are associated with an active web-site on the computer network;

parsing domain names in the plurality of open top-level domain name files associated with active web-sites on the computer network into a plurality of individual character components based on a pre-determined parsing scheme;

storing the plurality of individual character components in separate files, thereby creating a plurality of separate files including the plurality of individual character components; and

sorting each of the plurality of separate files based on a pre-determined sorting scheme to create a plurality of sorted separate files.

15. **(Canceled)** The method of Claim 14 further comprising a computer readable medium having stored therein instructions for causing a processor to execute the steps of the method.

16. **(Canceled)** The method of Claim 14 wherein the step of opening a plurality of top-level domain name files associated with a domain name system including opening a .COM, .EDU, .GOV, .MIL, .NET or .ORG top-level domain name file associated with the Internet domain name system.

17. **(Canceled)** The method of Claim 14 wherein the domain name system for the

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computer network includes the Domain Name System for the Internet.

18. **(Canceled)** The method of Claim 14 wherein the checking step includes attempting to visit a web-site on the computer network with a software spider to determine whether the web-site is active.

19. **(Canceled)** A method for creating a creating a plurality of index files, comprising:

opening a plurality of top-level domain name files associated with a domain name system for a computer network;

checking a plurality of domain names from the plurality of open top-level domain name files to determine whether any of the plurality of domain names are associated with an active web-site on the computer network;

extracting domain names in the plurality of open top-level domain name files associated with active web-sites on the computer network;

storing the extracted domains names in a plurality of entries in a plurality of separate files, thereby creating a plurality of separate files including the plurality of entries; and

sorting each of the plurality of separate files based on a pre-determined sorting scheme to create a plurality of sorted separate files.

20. **(Canceled)** The method of Claim 19 further comprising a computer readable

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medium having stored therein instructions for causing a processor to execute the steps of the method.

21. **(Canceled)** The method of Claim 19 wherein the step of opening a plurality of top-level domain name files associated with a domain name system including opening a .COM, .EDU, .GOV, .MIL, .NET or .ORG top-level domain name file associated with the Internet domain name system.

22. **(Canceled)** The method of Claim 19 wherein the checking step includes attempting to visit a web-site on the computer network with a software spider to determine whether the web-site is active.

23. **(Original)** A vertical search engine system, comprising in combination:

a vertical search engine server with associated database for indexing and searching a plurality of top-level domain name files associated with a domain name system for a computer network for a selected list of keywords for a selected topic, for indexing and searching electronic content from a plurality of web-sites identified by a plurality of domain names from the plurality of top-level domain name files and for creating a vortal index from the indexed plurality of top-level domain name files and the electronic content from the plurality of web-sites; and

a protocol stack on the vertical search engine server for communicating with other network devices on the computer network; and

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a server network device for making a vortal accessible on a network device via the computer network for a selected subject using the vertical index created by the vertical search engine server.

24. **(Original)** The vertical search engine system of Claim 23 top-level domain name files associated with a domain name system including opening a .COM, .EDU, .GOV, .MIL, .NET or .ORG top-level domain name file associated with the Internet Domain Name system.

25. **(Original)** The vertical search engine system of Claim 23 wherein the domain name system for the computer network includes the Domain Name System for the Internet.

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In the SPECIFICATION:

Please amend the Specification on page 2, Line 1, to include the following new text:

--CROSS REFERENCES TO RELATED APPLICATIONS

This U.S. Application is a Divisional of U.S. Application No. 09/918,838 filed on July 31, 2001, that issued as U.S. Patent No. 6,xxx,xxx, xx on yyyy, 2004.--

Please amend the Specification on Page 7 to delete the second paragraph comprising lines 6-11:

~~**One aspect of the invention includes a method for creating a vertical search engine. Another aspect of the invention includes a method for indexing plural domain names associated with a domain name system for a selected set of keywords. Another aspect of the invention includes a method for indexing electronic content from web-sites for plural domain names associated with the domain name system for the selected set of keywords.**~~

The Specification amendments are included to confirm with the requirements of a Divisional Application but are not intended to abandon or waive any rights whatsoever.

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IN the ABSTRACT OF THE DISCLOSURE:

Please amend the ABSTRACT OF THE DISCLOSURE on Page 41 as follows:

~~A vortal is a specific type of search engine that provides information and resources related only to one (or a small number) specific topic. These sites typically contain focused information, such as "vertical" or "in-depth" information pertinent only to their particular targeted topic of interest. Vortals include information pertinent to a targeted topic of a very small horizontal breath, but a larger depth.~~ **A method and system for creating a vertical search engine** ~~is presented~~. The method and system may help allow ~~vortals~~ **"vortals"** to be created for the Internet and other computer networks that efficiently index and search lists of Uniform Resource Locators ("URLs") created from an appropriate list of keywords for a selected topic. **Vortals include information pertinent to a targeted topic of a very small horizontal breath, but a larger depth.** The created vortals may provide greater user satisfaction and less user frustration when searching for information about a selected topic.

The amendments to the ASTRACT OF THE DISCLOSURE are included to file the Divisional Application but are not intended to abandon or waive any rights whatsoever.

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RESPONSE

Remarks

Claims 1-13 and 23-25 are pending in this Divisional Application. Claims 1 and 23 are in independent format. Applicant now respectively requests the Examiner consider the pending claims in the Divisional Application.

Respectfully submitted.

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